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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
NICOLE TORRES,	:	
	:	24 Cr. 499 (MKV)
Defendant.	:	
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WHEREAS, on or about August 22, 2024, NICOLE TORRES (the “Defendant”), was charged in a seven-count Sealed Indictment, 24 Cr. 499 (MKV) (the “Indictment”), with conspiracy to commit extortion under color of official right, in violation of Title 18, United States Code, Section 1951 (Count One); extortion under color of official right, in violation of Title 18, United States Code, Sections 1951 and 2 (Count Two); conspiracy to commit honest services wire fraud, in violation of Title 18, United States Code, Section 1349 (Count Three); honest services wire fraud, in violation of Title 18, United States Code, Sections 1343, 1346, 1349 and 2 (Count Four); conspiracy to commit mail fraud, in violation of Title 18, United States Code, Section 1349 (Count Five); mail fraud, in violation Title 18 United States Code, Sections 1341 and 2 (Count Six); and aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2 (Count Seven).

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Six of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c) of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Six of the Indictment, including but

not limited to the sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Count One through Six of the Indictment;

WHEREAS, on or about April 17, 2025, the Defendant pled guilty to Counts One and Five of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One and Five of the Indictment and agreed to forfeit, pursuant to the United States, Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), a sum of money equal to \$40,970.00 in United States currency, representing the amount of proceeds traceable to the commission of the offenses charged in Counts One and Five of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$40,970.00 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts One and Five of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One and Five of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Matthew Podolsky, Acting United States Attorney, Assistant United States Attorneys Benjamin M. Burkett and Rebecca T. Dell, of counsel, and the Defendant and her counsel, Amy Gallicchio, Esq., that:

1. As a result of the offenses charged in Counts One and Five of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$40,970.00 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to

the offenses charged in Counts One and Five of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant NICOLE TORRES, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

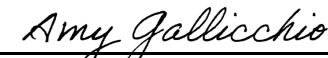
AGREED AND CONSENTED TO:

MATTHEW PODOLSKY
Acting United States Attorney for the
Southern District of New York

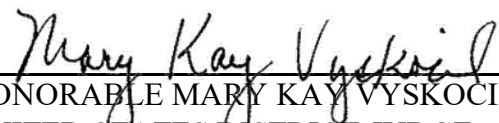
By:	<u>/s/ Rebecca T. Dell</u>	<u>4/13/2025</u>
	BENJAMIN M. BURKETT / REBECCA T. DELL	DATE
	Assistant United States Attorneys	
	26 Federal Plaza	
	New York, NY 10278	
	(212) 637-2455 / -2198	

NICOLE TORRES

By:	<u></u>	<u>04/11/2025</u>
	NICOLE TORRES	DATE

By:	<u></u>	<u>4/11/2025</u>
	AMY GALLICCHIO, ESQ.	DATE
	Attorney for Defendant	
	52 Duane Street, 10 th Fl.	
	New York, NY 10007	

SO ORDERED:

<u></u>	<u>4/17/2025</u>
HONORABLE MARY KAY VYSKOCIL	DATE
UNITED STATES DISTRICT JUDGE	